

Fair Political Practices Commission
MEMORANDUM

To: Chairman Johnson, Commissioners Hodson, Huguenin, Leidigh and Remy
From: Whitney Barazoto, Government Affairs Director
Subject: Legislative Report¹
Date: May 8, 2008

SB 1602 (Scott), our Commission-sponsored bill to implement online reporting of “behested payments,” has been amended to extend the deadline for reporting to 45 days. The bill is now on the suspense file of the Senate Appropriations Committee, where it will remain until the end of May when the committee will consider all of the suspense file bills contemporaneously.

SB 1239 (Battin) was scheduled for a hearing in the Senate Elections Committee on April 16. The author presented the bill in committee but requested that he be given more time to consider possible amendments before the bill went to a vote of the committee. During that time, the author decided to drop the bill and will no longer pursue it this year.

The following bills have been removed from this report for the reasons stated: AB 2624, regarding the application of anti-SLAPP motions under the Political Reform Act, has been dropped by the author; ACR 93, a resolution to encourage development of a model campaign sign ordinance, failed to pass the Assembly Elections Committee by the deadline; SB 381, relating to behested payments, has been amended and no longer affects the Political Reform Act; SB 1100, a spot bill regarding conflicts-of-interest, was not heard in policy committee by the deadline; and SB 1444, requiring reporting of bribery, is no longer being pursued by the author.

Current Legislation

AB 357 (Mendoza) Legal Defense Funds

This bill would allow legal defense funds to be used to pay attorney’s fees and costs related to election recounts and election contests.

Status: Senate Elections Committee

AB 583 (Hancock) Clean Money Act

This bill would enact the California Clean Money and Fair Elections Act of 2006, which would authorize eligible candidates for Governor and for one seat in each legislative house to obtain public funds to campaign for elective office. The bill provides a revenue stream for the Clean Money Fund, but it leaves the cost of administering and enforcing the program subject to appropriation by the Legislature.

Status: Senate Elections Committee

Position: Oppose (fiscal)

AB 1859 (Adams) Campaign Statements

This bill would allow county elections officials to disclose on the Internet the campaign statements filed by local candidates and committees.

Status: Senate Rules Committee

¹ At its public meeting, the Commission may discuss or take a position on any item included in this report.

AB 1998 (Silva) Local Agency Formation Commission Proposals

This bill would extend the provisions of the Political Reform Act that currently apply to a ballot measure to a Local Agency Formation Commission (LAFCO) proposal that is initiated as a petition. It also requires monthly reporting by a committee supporting or opposing a LAFCO proposal until the proposal is placed on the ballot or the committee is otherwise terminated.

Status: Senate Elections Committee

AB 2506 (Feuer) Advertisements

This bill was recently amended and would now impose disclosure requirements on advertisements that attempt to influence legislative or administrative action.

Status: Assembly Floor

AB 2552 (Krekorian) Independent Expenditures

This bill was recently amended and would now require an advertisement to include in descending order the names of the top two contributors to the committee that made the independent expenditure to pay for the advertisement. Current law requires the top two contributors to be named in the ad; this bill would require the names to be in descending order, based on the amount of the contribution made by the donor to the committee.

Status: Senate Rules Committee

AB 2607 (Davis) Electronic Filing of SEI's

This bill was recently amended and would now allow Los Angeles County and Orange County to begin a pilot program to permit the electronic filing of Statements of Economic Interests (SEI's) for a period of three years, beginning on January 1, 2009.

Status: Assembly Floor

AB 2795 (Blakeslee) Gifts

This bill was recently amended again and would now extend the \$10 monthly gift limit that currently applies to lobbyists and lobbying firms to lobbyist employers, who are not currently subject to a monthly limit but are presently bound by the annual \$390 gift limit. The new monthly gift limit for lobbyist employers would not apply when the employer provides food or refreshments of "nominal value," which is defined as worth no more than \$50 per month, at specified types of events. These "nominal value" gifts would still be capped at \$390 per year.

Status: Assembly Appropriations Committee (suspense file)

AB 3003 (Hayashi) 1090 Pilot Project

This bill would create a three-year pilot project to allow the Commission to issue opinions on the application of Government Code section 1090-1091.5, relating to conflicts of interests of public officials and employees in public contracting. The bill appropriates \$150,000 to the Commission for the project.

Status: Assembly Appropriations Committee (suspense file)

ACA 1 (Nunez) Legislative Reform

This constitutional amendment would prohibit a state legislator from serving more than 12 years in the Senate, Assembly, or both, in any combination of terms. It would prohibit a legislator or governor from accepting campaign contributions during certain periods of time leading up to the passage of the state budget, and it would establish a 17-member commission to conduct the process of redistricting.

Status: Assembly Appropriations Committee

SB 1204 (Denham) Electronic Filing of SEI's

This bill would allow a state or local filing officer to receive a Statement of Economic Interests (Form 700) electronically.

Status: In Assembly

SB 1239 (Battin) FPPC Communications

This bill would require all communications between the Commission and an alleged violator about the resolution of a violation to be treated by the Commission as confidential. It would also prohibit the Commission from allowing public access to any pending enforcement case until the case is closed, an accusation issued, a civil case is filed, or a settlement is presented to the Commission. A knowing and willful violation of the new provision could result in a misdemeanor and forfeiture of office or employment.

Status: Senate Elections Committee (dropped by author)

Position: Oppose, to the extent that the bill imposes potential penalties on Commission members and employees

SB 1602 (Scott) Behested Payments

This Commission-sponsored bill would require online filing of payments that are made at the behest of a candidate who is an elected officer and that are made principally for legislative, governmental, or charitable purposes ("behested payments"). It would also extend the filing date from 30 days to 45 days for those filing electronically.

Status: Senate Appropriations Committee (suspense file)

Position: Sponsor

SB 1772 (Sen. Rules Com.) Behested Payments

This bill would extend existing "behested payments" reporting requirements to members of the Public Utilities Commission.

Status: Senate Floor